

Global Patent Prosecution Highway Pilot Programme
Guidelines for Filing a Request at the Intellectual Property Office of Singapore
Relying on the international Search and/or Examination Results under the
Patent Cooperation Treaty

1. Background

1.1 With effect from 1 November 2014, the Intellectual Property Office of Singapore (IPOS) has joined the Global Patent Prosecution Highway (GPPH) network and is a participating office of the GPPH pilot programme. Under the GPPH pilot, a request for accelerated examination of an IPOS patent application (IPOS application) can be made by relying on the international search and/or examination results under the Patent Cooperation Treaty (PCT) (PCT work products) established by any of the other GPPH participating offices who also act as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT (i.e. an International Authority). Under the GPPH pilot, these offices are known as Offices of Earlier Examination (OEE).

1.2 A list of the GPPH participating offices indicating those offices who also act as ISAs and IPEAs under the PCT can be found in Annex I.

2. Requirements for requesting accelerated examination of an IPOS patent application

2.1 Both the IPOS application for which acceleration is requested and the OEE application(s) forming the basis of the GPPH request shall have the same earliest date (whether this is a priority date or a filing date).

2.2 The OEE application has at least one claim that is determined to be allowable/patentable by the OEE.

2.3 All claims in the IPOS application must sufficiently correspond or be amended to sufficiently correspond to one or more of the claims found allowable/patentable by the OEE. Claims will be considered to sufficiently correspond where, accounting for differences due to translations and claim format, the claims are of the same or similar scope, or the claims are narrower in scope. In this regard, a claim that is narrower in scope occurs when a claim in the IPOS application is amended to be further limited by an additional technical feature that is supported in the specification

2.4 Examination has not begun on the IPOS application.

2.5 Diagrams depicting a list of scenarios in which a request for accelerated examination of the IPOS application under the GPPH pilot programme can be made are found in Annex II. This list of scenarios is non-exhaustive.

3. Procedures for requesting accelerated examination of an IPOS patent application

3.1 File duly completed Patents Form 11 (Request for Search and Examination Report) or Patents Form 12 (Request for Examination Report). These forms can be found at: <https://www.ip2.sg/RPS/WP/Default.aspx> (electronic versions for online filing) and <http://www.ipos.gov.sg/Services/FilingandRegistration/FormsandFees/Patents.aspx> (downloadable versions for paper filing).

3.2 The Patents Form 11 or Patents Form 12 must be accompanied by:

- (a) a copy of all office actions of the OEE application being relied upon;
 - (b) a copy of the allowable/patentable patent claims referred to in (a) above; and
 - (c) a claims correspondence table showing the relatedness of the allowable/patentable claims referred to in (a) above to the claims in the current IPOS application. The format of the Claims Correspondence Table is found in Annex III.
- 3.3 If the documents listed in (a) and (b) above are available in the OEE Dossier Access System, they need not be filed with the Patents Form 11 or Patents Form 12. A list of the available Dossier Access Systems is found in Annex IV.
- 3.4 For the avoidance of doubt, a copy of the patent grant without the documents listed in (a), (b) and (c) above will not qualify for the GPPH.
- 3.5 The checkbox for “ASPEC/PPH” must be selected in the Patents Form 11 or Patents Form 12.
- 3.6 If the request for GPPH is sought after the Patents Form 11 or Patents Form 12 is filed, the request together with any supporting documents must be made in writing to IPOS. An email must also be sent to IPOS at pgh@ipos.gov.sg on the same day the request is submitted to IPOS. The email must contain in its subject, the title "GPPH acceleration requested".
- 3.7 For the avoidance of doubt, email notification to IPOS is not required if GPPH is made at the point of filing Patents Form 11 or Patents Form 12 and the checkbox for “ASPEC/PPH” is selected.
- 3.8 Any subsequent correspondences with IPOS must also be marked with the phrase “GPPH acceleration requested”.

4. Cited Documents

A copy of each of the documents cited in the documents submitted under paragraph 3.2 (a) is not required at the time of filing the GPPH request. IPOS may, however, require the applicant to furnish a copy of any document cited subsequently.

5. Translations

- 5.1 The documents in paragraph 3.2 must be accompanied by an English translation if they are not originally in English, at the time of filing the GPPH request.
- 5.2 The documents in paragraph 4 may be filed in their original language. However, IPOS may subsequently request for an English translation of a document or a part of a document if an English abstract of the cited document is not available.
- 5.3 If it is not possible for IPOS to understand the English translation of any document, IPOS can request the applicant to resubmit the English translation of that document.

6. Examination of IPOS patent application under the GPPH pilot

- 6.1 IPOS will treat a GPPH request as a request for accelerated examination under the GPPH pilot programme. The IPOS application will be examined in accordance with

the Singapore Patents Act (Cap. 221) and the Singapore Patents Rules. The legislations can be found at: <http://www.ipos.gov.sg/AboutIP/IPLegislation.aspx>

- 6.2 Applicants should seek professional advice on patent matters in Singapore, in particular, with reference to section 30 (Grant of patent) and section 69 (Restrictions on relief for infringement) of the Singapore Patents Act (Cap. 221).

7. Enquiries

For enquiries relating to the Global Patent Prosecution Highway pilot programme, please send an email to pph@ipos.gov.sg .

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

Date: 1 November 2014

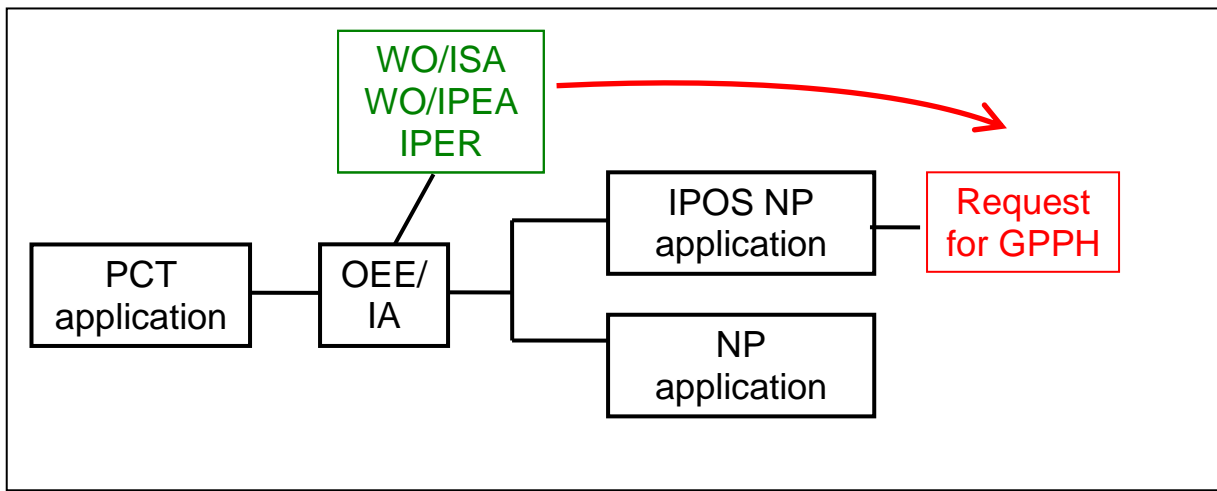
Last Updated: 18 January 2019

Annex I

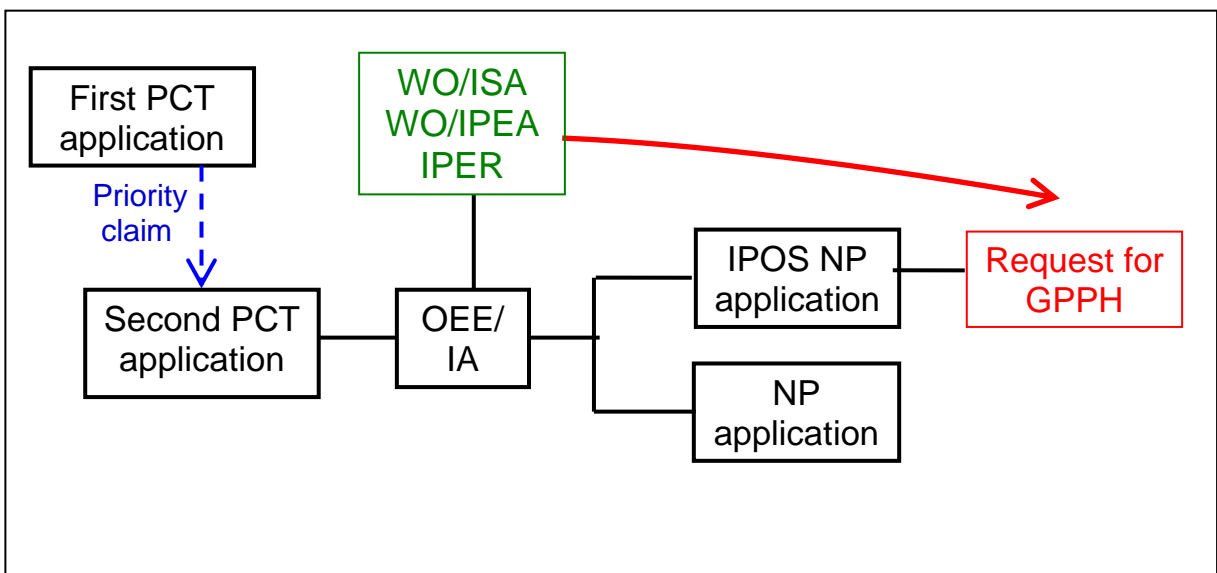
	Global Patent Prosecution Highway Participating Offices	International Searching Authority and International Preliminary Examining Authority
1	IP Australia	Yes
2	Austrian Patent Office	Yes
3	Canadian Intellectual Property Office	Yes
4	Danish Patent and Trademark Office	No
5	Estonian Patent Office	No
6	National Board of Patents and Registration of Finland	Yes
7	German Patent and Trademark Office	No
8	Hungarian Intellectual Property Office	No
9	Icelandic Patent Office	No
10	Intellectual Property Office of New Zealand (IPONZ)	No
11	Israel Patent Office	Yes
12	Japan Patent Office	Yes
13	Korean Intellectual Property Office	Yes
14	National Institute for the Defense of Competition and the Protection of Intellectual Property of Peru (INDECOPI)	No
15	Nordic Patent Institute	Yes
16	Norwegian Industrial Property Office	No
17	Patent Office of the Republic of Poland	No
18	Portuguese Institute of Industrial Property	No
19	Russian Federal Service for Intellectual Property	Yes
20	Intellectual Property Office of Singapore	Yes
21	Spanish Patent and Trademark Office	Yes
22	Superintendence of Industry and Commerce (SIC) (Colombia)	No
23	Swedish Patent and Registration Office	Yes
24	United Kingdom Intellectual Property Office	No
25	United States Patent and Trademark Office	Yes

Annex II

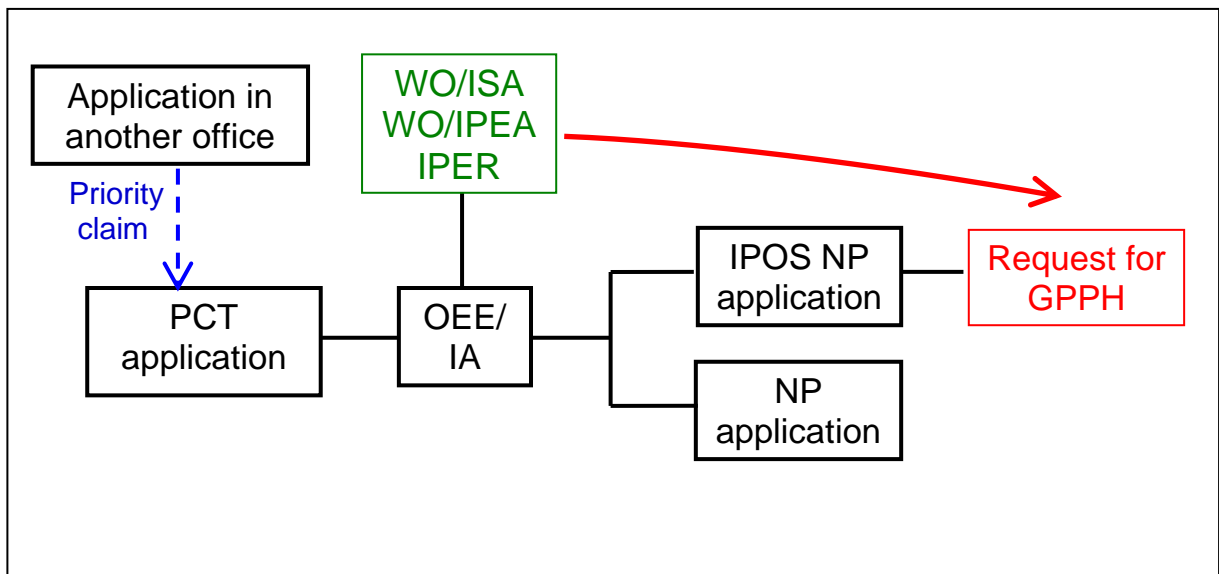
Scenario (1): The IPOS application (“IPOS NP application”) is a national phase entry of the PCT application. The OEE being relied upon for the GPPH request is the International Authority (IA) that has examined the PCT application.



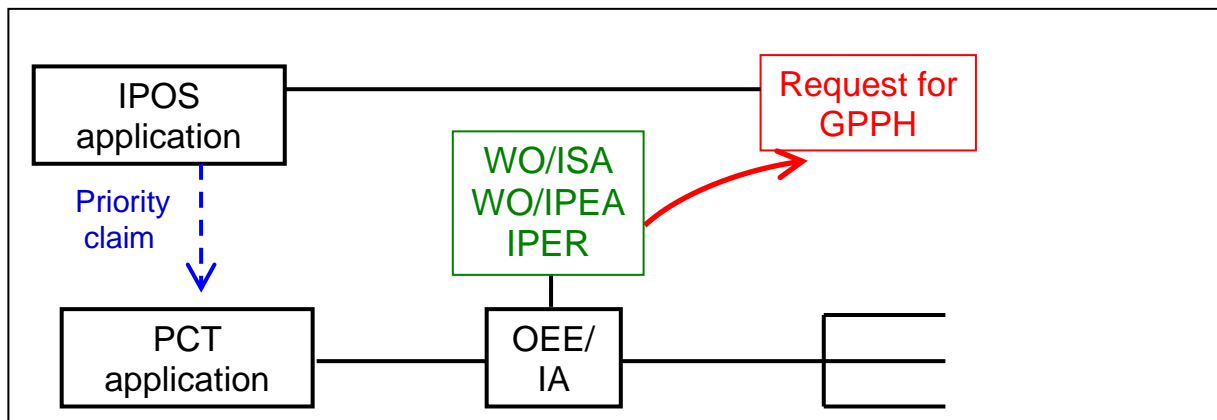
Scenario (2): There are two PCT applications, the second application validly claiming priority from the first application. The IPOS application (“IPOS NP application”) is a national phase entry of the second PCT application. The OEE being relied upon for the GPPH request is the International Authority (IA) that has examined the second PCT application.



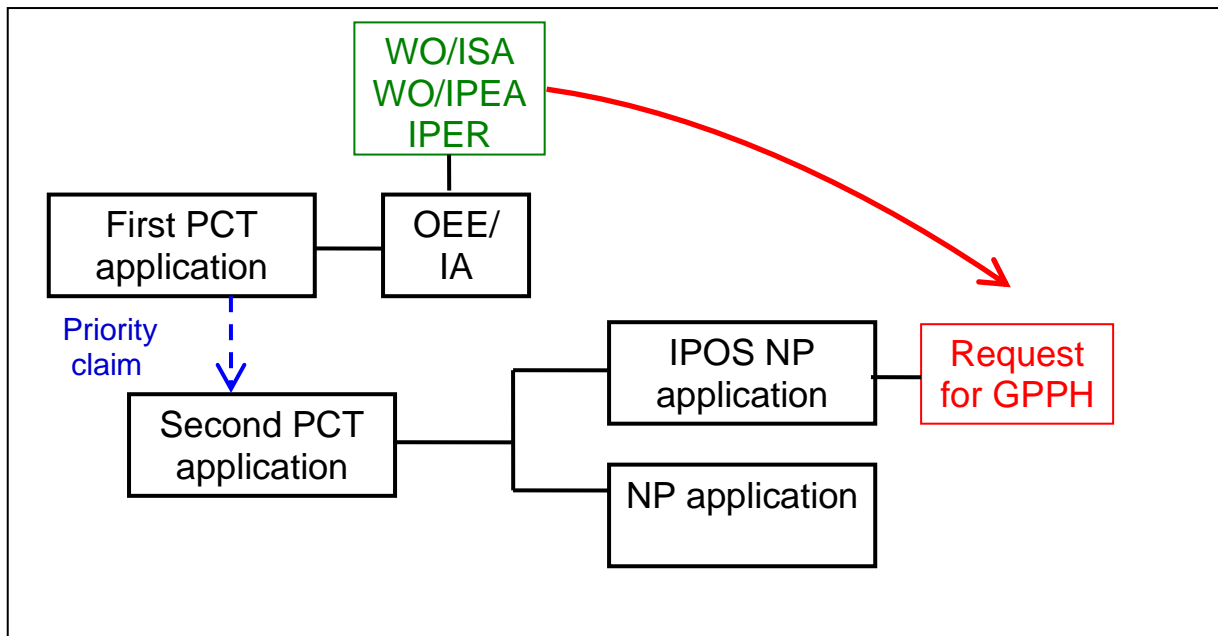
Scenario (3): There is a first application filed in an office other than the IPOS or the OEE. The PCT application validly claims priority from the first application. The IPOS application (“IPOS NP application”) is a national phase entry of the PCT application. The OEE being relied upon for the GPPH request is the International Authority (IA) that has examined the PCT application.



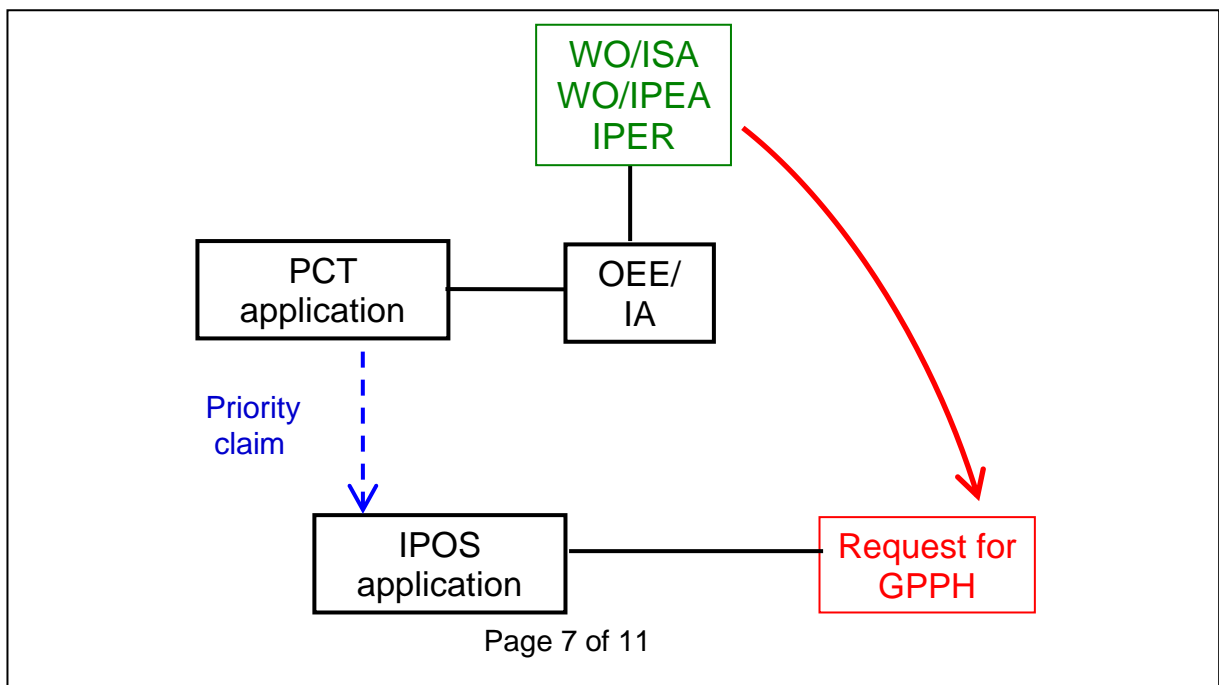
Scenario (4): The PCT application validly claims priority from the IPOS application. The OEE being relied upon for the GPPH request is the International Authority (IA) that has examined the PCT application.



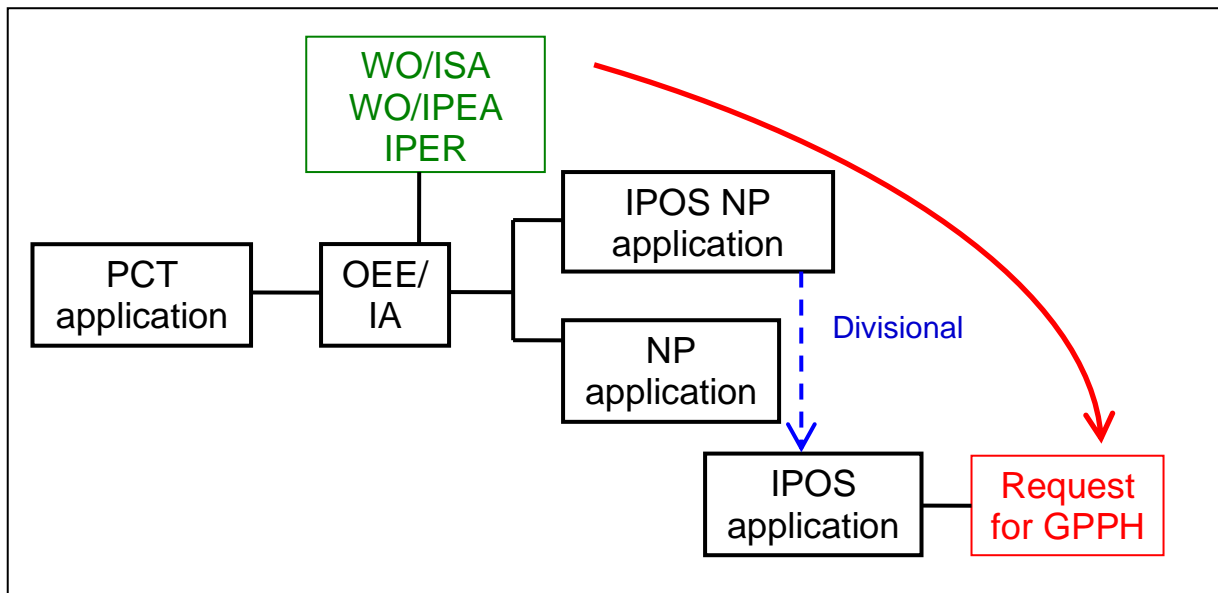
Scenario (5): There are two PCT applications, the second application validly claiming priority from the first application. The IPOS application (“IPOS NP application”) is a national phase entry of the second PCT application. The OEE being relied upon for the GPPH request is the International Authority (IA) that has examined the first PCT application.



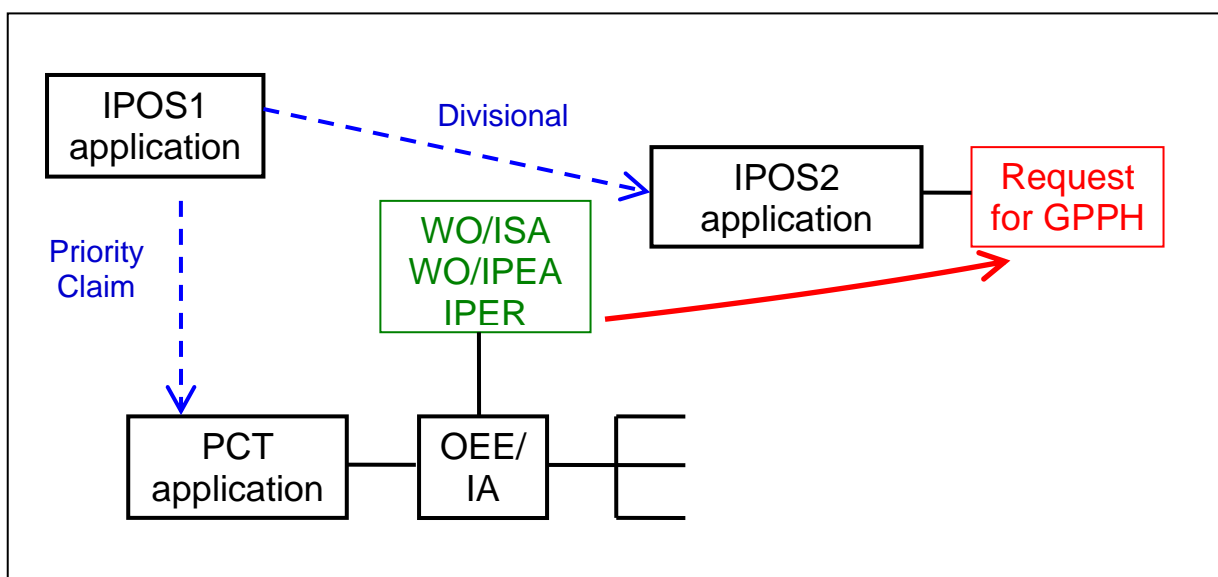
Scenario (6): The IPOS application validly claims priority under section 17 of the Singapore Patents Act (Cap. 221) from the PCT application. The OEE application being relied upon for the GPPH request is the International Authority (IA) that has examined the PCT application.



Scenario (7): The IPOS application is a divisional application of another IPOS application that is a national phase entry of a PCT application. The OEE application being relied upon for the GPPH request is the International Authority (IA) that has examined the PCT application.



Scenario (8): The IPOS application (“IPOS2 application”) is a divisional application of another IPOS application (“IPOS1 application”). The PCT application validly claims priority from IPOS1 application. The OEE application being relied upon for the GPPH request is the International Authority (IA) that has examined the PCT application



Note: The PCT work products are namely the Written Opinion of the International Search Authority (WO/ISA), the Written Opinion of the International Preliminary Examining Authority (WO/IPEA) or the International Preliminary Examination Report (IPER).

Annex IV

Office	Dossier Access System
IP Australia	AusPat (http://pericles.ipaustralia.gov.au/ols/auspat/)
Canadian Intellectual Property Office	Canadian Patents Database http://www.ic.gc.ca/opic-cipo/cpd/eng/introduction.html
Danish Patent and Trademark Office	PVS online (http://onlineweb.dkpto.dk/pvsonline/patent?action=1&subAction=front&language=GB)
Estonian Patent Office	http://www1.epa.ee/patent/default2eng.asp
German Patent and Trademark Office	https://register.dpma.de/DPMAregister/pat/einsteiger?lang=en For further info see: http://www.dpma.de/english/service/newsandnotices/notices/notice_no12_13/index.html .
Hungarian Intellectual Property Office	http://epub.hpo.hu/e-aktabetekintes/?lang=EN
Intellectual Property Office of New Zealand	IPONZ (https://www.iponz.govt.nz/about-ip/patents/search)
Israel Patent Office	ILPATSEARCH, Israel Patent Office Database http://www.ilpatsearch.justice.gov.il/UI/AdvancedSearch.aspx
Japan Patent Office	AIPN (http://aipn.ipdl.inpit.go.jp/)
Korean Intellectual Property Office	K-PION (http://k-pion.kipo.go.kr/)
Norwegian Industrial Property Office	https://dbsearch2.patentstyret.no/AdvancedSearch.aspx?Category=Patent
Patent Office of the Republic of Poland	Register Plus (http://regserv.uprp.pl/register/simpleSearch?lng=en)
National Board of Patents and Registration of Finland	PatInfo (http://patent.prh.fi/patinfo/default2.asp)
Swedish Patent and Registration Office	http://was.prv.se/spd/search?lang=en
Superintendence of Industry and Commerce	(http://sipi.sic.gov.co/sipi/Extra/Default.aspx?sid=636329534891172414)
United Kingdom Intellectual Property Office	IPSUM (http://www.ipo.gov.uk/p-ipsum.htm)

United States Patent and Trademark Office	public PAIR (http://portal.uspto.gov/pair/PublicPair)
World Intellectual Property Organisation	Patentscope (http://www.wipo.int/pctdb/en/index.jsp)
	WIPO CASE (http://www.wipo.int/case/en/)